

04-15-04

Image RCE# 1600

PTO/SB/30 (08-00)

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Patent Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/770,901
Filing Date	01/26/2001
First Named Inventor	FAOUR ET AL.
Group Art Unit	1617
Examiner Name	Shaojia A. Jiang
Attorney Docket Number	PHUS-28

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e) 04/16/2004 RHEBRANT 00000033 09770901
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:2801 385.00 OP
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 385.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

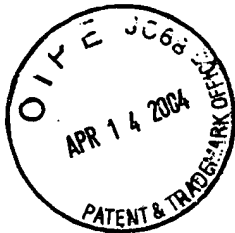
Name (Print/Type)	RICK MATOS	Registration No. (Attorney/Agent)	40,082
Signature		Date	April 13, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

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Name (Print/Type)	RICK MATOS	Date	April 13, 2004
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:  
FAOUR, J. et al.

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Serial No.: 09/770,901  
Filed: January 26, 2001

Group Art Unit: 1617  
Examiner: Shaojia A. Jiang, Ph.D.

For: Pharmaceutical compositions containing  
A COX-II inhibitor and a muscle  
relaxant

Mail Stop Non-fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

"EXPRESS MAIL" MAILING LABEL NUMBER <u>ER 272257015 US</u> DATE OF DEPOSIT: <u>APRIL 13, 2004</u> I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS.  _____ RICK MATOS (TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)  _____ (SIGNATURE OF PERSON MAILING PAPER OR FEE)
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AMENDMENT

In response to the Office Communication mailed January 13, 2004, a response to which is due April 13, 2004, Applicants hereby submit the following response.

This amendment is being filed concurrently with a Request for Continued Examination, which is enclosed herewith.

The following is submitted herewith: Amendments to the Claims, Remarks, Supplemental Information Disclosure Statement, and Form 1449, which includes a copy of additional references discussed herein.

Full consideration of the present response and entry into the record is requested.